District Court of the United States for the district aforesaid libels praying seizure and condemnation of 4 cases, 18 short quart bottles, and 40 pint bottles of Bock Toa rheumatic remedy, remaining in the original unbroken packages at Denver, Colo., consigned by Bock Toa Hong & Co., San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 24, 1932, from San Francisco, Calif., to Denver, Colo., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of small portions of extracts of plant drugs, sugar, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the said article, appearing on the bottle label, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Rheumatic remedy * * * to be used for Lumbago, Rheumatism, and Pains."

On July 7 and August 1, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19859. Misbranding of Ru-Ma-Co herbal tonic. U. S. v. 24 Cartons of Ru-Ma-Co Herbal Tonic. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 27977. I. S. No. 32853. S. No. 5989.)

Examination of the drug product Ru-Ma-Co herbal tonic, involved in this action, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the carton label.

On April 1, 1932, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24 cartons of Ru-Ma-Co, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by F. D. Werst, from Portland, Oreg., on or about March 6, 1932, and had been transported from the State of Oregon into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including licorice and a laxative drug, glycerin, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton label, regarding the curative and therapeutic effects of the said article, were false and fraudulent: "An aid in the restoration to normal action of the organs of circulation, assimilation and elimination. * * * a majority of the ordinary ailments of mankind are due to the impairment of the functions of the liver and gall bladder, impoverishment of the blood, or disturbed glandular activity. Ru-Ma-Co helps to restore and maintain a normal balance in these vital processes of the body."

On July 30, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19860. Misbranding of Painallay. U. S. v. 54 Bottles of Painallay. Default decree of destruction.** (F. & D. No. 27688. I. S. No. 44469. S. No. 5751.)

Examination of the drug product Painallay, involved in this action, showed that the article would not produce certain curative and therapeutic effects claimed for it on the bottle label.

On January 25, 1932, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 54 bottles of the said Painallay, remaining in the original unbroken packages at Little Rock, Ark., alleging that the article

had been shipped in interstate commerce on or about December 7, 1931, by the Painallay Co., from Kansas City, Mo., to Little Rock, Ark., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of cresol (1 per cent), small proportions of glycerin and saccharin, and water (98 per cent).

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "Painallay * * * For Mouth and Throat A Scientific * * * Anodyne Relieves Pain and Heals Beneficial in the treatment of * * * Pyorrhea Trench Mouth or Vincent's, Tonsilitis, etc. * * * Painallay a preparation beneficially efficient in the treatment of Mouth and Throat infections and as a general prophylactic. It * * * (healing) and relieves pain. As a Daily Mouth Wash and Gargle it promotes a healthy condition to the tissues by destroying bacteria. Directions For all mouth and throat infections * * * Painallay is exceedingly beneficial in the treatment of the following and other infections to give relief from pain * * * Pyorrhea and Inflamed Gums—Use full strength several times a day, slushing well between the teeth for 3 or 4 minutes. Dilute to a weaker solution as case improves. * * * Vincent's or Trench Mouth—Follow directions as for pyorrhea. * * * continue indefinitely even after case seems apparently cured. Extractions—After removal of teeth * * * keep out infection. * * * Sores—Saturate gauze or cotton and bandage on wound."

On July 6, 1932, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19861. Adulteration and misbranding of quinine sulphate capsules, cinchophen tablets, blaud and strychnin capsules, and Special Rx tablets. U. S. v. Llewellyn Laboratories (Inc.). Plea of guilty. Fine, $200.** (F. & D. No. 27499. I. S. Nos. 15621, 15625, 28072, 28074.)

This action was based on the interstate shipment of quantities of drug capsules and tablets, samples of which were found to contain smaller amounts of certain of the essential drugs than declared on the labels.

On May 2, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Llewellyn Laboratories (Inc.), trading at Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, of quantities of drug capsules and tablets that were adulterated and misbranded. The information charged shipment by the defendant company from the State of Pennsylvania into the State of New Jersey, of a quantity of quinine sulphate capsules and a quantity of cinchophen tablets, sometime in the month of August, 1929, of a quantity of blaud and strychnia capsules on or about August 28, 1930, and of a quantity of Special Rx tablets, on or about December 1, 1930. The articles were labeled in part: "Capsules Quinine Sulphate 2 Grs. Llewellyn Laboratories, Inc. Philadelphia, Pa.;" "Cincophen 5 grs. * * * Llewellyn Laboratories, Inc.;" "Blaud & Strychnia * * * Strychnia Sulph. 1-60 Gr. * * * Acid Arsenous 1-50 gr. * * * capsule * * * Llewellyn Inc.;" "Tablets Special Rx Phenacetin 3½ Grs. * * * Llewellyn Laboratories, Inc."

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, as follows: Each of the quinine sulphate capsules was represented to contain 2 grains of quinine sulphate, whereas each of said capsules contained not more than 1.099 grains of quinine sulphate; each of the cinchophen tablets was represented to contain 5 grains of cinchophen, whereas each of said tablets contained not more than 3.365 grains of cinchophen; each of said blaud and strychnia capsules was represented to contain 1-60 grain of strychnine sulphate, and 1/50 grain of arsenous acid, whereas each of said capsules contained less strychnine sulphate and less arsenous acid than so represented, to wit, not more than 0.0124 grain of strychnine sulphate and 0.015 grain of arsenous acid; and each of said Special Rx tablets was represented to contain 3½ grains of phenacetin, whereas each of said tablets contained not more than 2.703 grains of phenacetin.